

LAW OFFICES  
**KILYK & BOWERSOX, P.L.L.C.***Intellectual Property Law*LUKE A. KILYK\* (PA, DC)  
LEONARD D. BOWERSOX  
JASBIR SINGH  
MATTHEW T. GILL  
DINH X. NGUYEN400 Holiday Court, Suite 102  
WARRENTON, VA 20186TEL.: (540) 428-1701  
FAC.: (540) 428-1720  
(540) 428-1721FAIRFAX OFFICE  
3603-E Chain Bridge Road  
Fairfax, Virginia 22030Of Counsel:  
LAWRENCE B. BUGAISKY, Ph.D.\* (DC)  
WILLIAM CHARLES JAMISON, Ph.D.Email: [lklyk@kbpatentlaw.com](mailto:lklyk@kbpatentlaw.com)  
Website: <http://www.kbpatentlaw.com>

\*Admitted only in states indicated

PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

**FACSIMILE TRANSMISSION COVER SHEET**

DATE: January 17, 2006

TO: Examiner Joshua L. Pritchett  
Group Art Unit 2872  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 10/694,659  
For: MAGNIFYING OBSERVATION APPARATUS, METHOD FOR OBSERVING  
MAGNIFIED IMAGE, AND COMPUTER-READABLE MEDIUM  
Our Ref: 3140-017

FROM: Luke A. Kilyk, Esq. *LAK*

FAC. TEL. NO.: 1-571-273-8300

**NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 16**Items Attached: Amendment -- 12 pages  
Request for Continued Examination -- 1 page  
Credit Card Payment Form -- 1 page  
Fee Transmittal -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on January 17, 2006.

Kim Blum  
Name (Print)*Kim Blum*  
Signature

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

JAN 17 2006

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005				Complete if Known																																																																																																																																																																																			
Effective 10/01/2003. Patent fees are subject to annual revision.				Application Number	10/694,659																																																																																																																																																																																		
				Filing Date	October 28, 2003																																																																																																																																																																																		
				First Named Inventor	Inomata																																																																																																																																																																																		
				Examiner Name	Joshua L. Pritchett																																																																																																																																																																																		
				Art Unit	2872																																																																																																																																																																																		
				Attorney Docket No.	3140-017																																																																																																																																																																																		
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27																																																																																																																																																																																							
TOTAL AMOUNT OF PAYMENT		(\$)		790.00																																																																																																																																																																																			
METHOD OF PAYMENT (check all that apply)			FEE CALCULATION (continued)																																																																																																																																																																																				
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 50-0925 Deposit Account Name: Kilyk & Bowersox, P.L.L.C.			<b>3. ADDITIONAL FEES</b> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late, provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>120</td> <td>2251</td> <td>60</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>450</td> <td>2252</td> <td>225</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>1020</td> <td>2253</td> <td>510</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1580</td> <td>2254</td> <td>795</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,160</td> <td>2255</td> <td>1,080</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>500</td> <td>2401</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>600</td> <td>2402</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>1,000</td> <td>2403</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>800</td> <td>2452</td> <td>250</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,500</td> <td>2453</td> <td>750</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,400</td> <td>2501</td> <td>700</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>800</td> <td>2502</td> <td>400</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>1,100</td> <td>2503</td> <td>550</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee for provisional applications</td> <td></td> </tr> <tr> <td>1808</td> <td>180</td> <td>1808</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>790</td> <td>2809</td> <td>395</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>790</td> <td>2810</td> <td>395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>780</td> <td>2801</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> <td>790.00</td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>			Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late, provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	120	2251	60	Extension for reply within first month		1252	450	2252	225	Extension for reply within second month		1253	1020	2253	510	Extension for reply within third month		1254	1580	2254	795	Extension for reply within fourth month		1255	2,160	2255	1,080	Extension for reply within fifth month		1401	500	2401	250	Notice of Appeal		1402	600	2402	250	Filing a brief in support of an appeal		1403	1,000	2403	500	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	800	2452	250	Petition to revive - unavoidable		1453	1,500	2453	750	Petition to revive - unintentional		1501	1,400	2501	700	Utility issue fee (or reissue)		1502	800	2502	400	Design issue fee		1503	1,100	2503	550	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee for provisional applications		1808	180	1808	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))		1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		1801	780	2801	385	Request for Continued Examination (RCE)	790.00	1802	900	1802	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																																			
1052	50	2052	25	Surcharge - late, provisional filing fee or cover sheet																																																																																																																																																																																			
1053	130	1053	130	Non-English specification																																																																																																																																																																																			
1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																			
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																			
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																			
1251	120	2251	60	Extension for reply within first month																																																																																																																																																																																			
1252	450	2252	225	Extension for reply within second month																																																																																																																																																																																			
1253	1020	2253	510	Extension for reply within third month																																																																																																																																																																																			
1254	1580	2254	795	Extension for reply within fourth month																																																																																																																																																																																			
1255	2,160	2255	1,080	Extension for reply within fifth month																																																																																																																																																																																			
1401	500	2401	250	Notice of Appeal																																																																																																																																																																																			
1402	600	2402	250	Filing a brief in support of an appeal																																																																																																																																																																																			
1403	1,000	2403	500	Request for oral hearing																																																																																																																																																																																			
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																			
1452	800	2452	250	Petition to revive - unavoidable																																																																																																																																																																																			
1453	1,500	2453	750	Petition to revive - unintentional																																																																																																																																																																																			
1501	1,400	2501	700	Utility issue fee (or reissue)																																																																																																																																																																																			
1502	800	2502	400	Design issue fee																																																																																																																																																																																			
1503	1,100	2503	550	Plant issue fee																																																																																																																																																																																			
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																																			
1807	50	1807	50	Processing fee for provisional applications																																																																																																																																																																																			
1808	180	1808	180	Submission of Information Disclosure Stmt																																																																																																																																																																																			
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																			
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																			
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																			
1801	780	2801	385	Request for Continued Examination (RCE)	790.00																																																																																																																																																																																		
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																			
<b>1. BASIC FILING FEE</b> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1011</td> <td>300</td> <td>2011</td> <td>150</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1012</td> <td>200</td> <td>2012</td> <td>100</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1013</td> <td>200</td> <td>2013</td> <td>100</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1014</td> <td>300</td> <td>2014</td> <td>150</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005</td> <td>200</td> <td>2005</td> <td>100</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table>			Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1011	300	2011	150	Utility filing fee		1012	200	2012	100	Design filing fee		1013	200	2013	100	Plant filing fee		1014	300	2014	150	Reissue filing fee		1005	200	2005	100	Provisional filing fee		<b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>50</td> <td>2202</td> <td>25</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201</td> <td>200</td> <td>2201</td> <td>100</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203</td> <td>360</td> <td>2203</td> <td>180</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>1204</td> <td>200</td> <td>2204</td> <td>100</td> <td>**Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205</td> <td>50</td> <td>2205</td> <td>25</td> <td>**Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> </tbody> </table>			Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	50	2202	25	Claims in excess of 20		1201	200	2201	100	Independent claims in excess of 3		1203	360	2203	180	Multiple dependent claim, if not paid		1204	200	2204	100	**Reissue independent claims over original patent		1205	50	2205	25	**Reissue claims in excess of 20 and over original patent																																																																																																			
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1011	300	2011	150	Utility filing fee																																																																																																																																																																																			
1012	200	2012	100	Design filing fee																																																																																																																																																																																			
1013	200	2013	100	Plant filing fee																																																																																																																																																																																			
1014	300	2014	150	Reissue filing fee																																																																																																																																																																																			
1005	200	2005	100	Provisional filing fee																																																																																																																																																																																			
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																		
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																				
1202	50	2202	25	Claims in excess of 20																																																																																																																																																																																			
1201	200	2201	100	Independent claims in excess of 3																																																																																																																																																																																			
1203	360	2203	180	Multiple dependent claim, if not paid																																																																																																																																																																																			
1204	200	2204	100	**Reissue independent claims over original patent																																																																																																																																																																																			
1205	50	2205	25	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																			
<b>SUBTOTAL (1)</b> (\$) 0.00			<b>SUBTOTAL (2)</b> (\$) 0.00																																																																																																																																																																																				
<b>SUBTOTAL (3)</b> (\$) 790.00			<b>SUBTOTAL (3)</b> (\$) 790.00																																																																																																																																																																																				
<b>SUBMITTED BY</b>																																																																																																																																																																																							
Name (Print/Type)		Luke A. Kilyk		Registration No. (Attorney/Agent)																																																																																																																																																																																			
Signature				33,251																																																																																																																																																																																			
				Telephone																																																																																																																																																																																			
				1-571-273-8300																																																																																																																																																																																			
				Date																																																																																																																																																																																			
				January 17, 2006																																																																																																																																																																																			

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-8300 on January 17, 2006.

Kim Blum

Name (Print)

Signature